

AGENDA
Regular Session of the City Council of the City of Saint Charles, Missouri
Council Chambers – 4th Floor – City Hall – 200 North Second Street
Tuesday, May 5, 2015
7:00 p.m.

1. ROLL CALL
2. INVOCATION AND PLEDGE OF ALLEGIANCE
- 2A. April 7, 2015, Election Results
 1. Canvass of Election Returns of the General Municipal Election held April 7, 2015, and Declaration of the Election Results (***RCA Attached***)
 2. Administration of Oath of Office
3. PUBLIC HEARINGS
 - A. Case No. CU-2015-8 (Greg Rogers – Quiktrip) An Application for a Conditional Use Permit from §400.230(C)(1)(a) for a gas station and convenience store within the C-3 Highway Business District, specifically to demolish the existing gas station and construct a new store and canopy at 3889 Mexico Road. The subject property is 2.4 acres and is located in Ward 6 (***Applicant requested this item be tabled to the June 2, 2015, Regular Council Meeting – (RCA Attached)***)
 - B. Case No. CU-2015-9 (Cole and Associates, Inc.) An Application for a Conditional Use Permit from §400.220(C)(1)(f) for a parking lot within the C-2 General Business District, specifically to construct a stand-alone parking lot and cross walk at 800 First Capitol Drive. The subject property is 0.36 acres and is located in Ward 1 (***RCA Attached***)
 - C. Case No. CU-2015-11 (Lori Wandling) An Application for a Conditional Use Permit from §400.480(C) for Temporary Retail Sales within the T4-NMX Neighborhood Mixed Use District and the C-2 General Business District, specifically to sell concession items (hotdogs, sno cones, etc.) from a small trailer along the rear of the building at 917 South Fifth Street. The subject property is 0.14 acres and is located in Ward 2 (***RCA Attached***)
 - D. Case No. CU-2015-13 (Western Oil, Inc.) An Application for a Conditional Use Permit from §400.230(C)(1)(a) for a gas station and convenience store within the C-3 Highway Business District, specifically to demolish the existing gas station and construct a new store and canopy at 1990 S Highway 94. The subject property is 1.00 acre and is located in Ward 3 (***RCA Attached***)
 - E. Case No. Z-2015-4 (Bax Engineering) An Application to rezone land located immediately south of 3140 Elm Point Industrial Drive known as the proposed Lots 8 and 9 of Elm Point Commons Subdivision from the I-1 Light Industrial District to the C-3 Highway Business District. The subject property is 3.14 acres and is located in Ward 8 (***Council Bill 11600***)
 - F. Case No. TA-2015-5 (City of St. Charles) Text Amendment to Zoning Ordinance Section §400.330(B)(2) SMPD South Main Preservation District relative to the performance of Live Music in restaurants, cafes or cafeterias as defined in Chapter 400 (the Zoning Code), specifically to change the hours for live music from 8:00

p.m. outdoors and 9:00 p.m. indoors to no later than 10:00 p.m. for live music indoors and outdoors on Friday and Saturday nights (***Council Bill 11599***)

4. REPORT OF THE MAYOR/AWARDS/PROCLAMATIONS/PRESENTATIONS

- A. Presentation of Ice House Entrepreneurship Program & Graduates
- B. Proclamation in Recognition of National Music Week
- C. Proclamation in Recognition of Tourism Week
- D. Proclamation in Recognition of Stamp Out Hunger
- E. Appointments to Boards/Commission/Committees
- F. Written and/or Verbal Messages from the Mayor

5. PUBLIC COMMENT

- A. Reading of Written Petitions, Memorials, and Remonstrances
- B. Public Comment Relative to Agenda Items
- C. Public Comment Relative to City Issues

NOTE: To address the Council, please complete a speaker card and present to the City Clerk prior to the meeting.

6. RESOLUTIONS

- A. A Resolution Declaring Outdated Technology Equipment as Surplus Property; Authorizing the Disposal of the Equipment with Resale Value Via Internet Auction; and Authorizing Electronic Recycling of the Equipment without Resale Value (*Sponsor: Mary Ann Ohms*)
- B. Resolution Declaring Real Property Located at 14 Marie Drive as Surplus Property and Authorizing Disposal by Negotiated Sale (*Sponsor: Rod Herrmann*)
- C. A Resolution Declaring One Hundred Four (104) 30-Minute Self-Contained Breathing Apparatus Bottles Assigned to the Fire Department as Surplus Property and Authorizing Disposal by On-Line Auction Services GovDeals (*Sponsor: Mary Ann Ohms*)

7. BILLS FOR FINAL PASSAGE

Bill 11513 (*To be held – Supplemental RCA Attached*)

An Ordinance Amending Section 500.040 and 500.050 to Adopt the 2015 Edition of the *International Building Code*; Amending Section 500.070 and 500.080 to Adopt the 2015 Edition of the *International Residential Code for One- and Two-Family Dwellings*; Amending Section 500.090 and 500.100 to Adopt the 2015 Edition of the *International Energy Conservation Code*; Amending Section 500.110 and 500.120 to Adopt the 2015 Edition of the *International Property Maintenance Code*; Amending Section 500.130 and 500.140 to Adopt the 2015 Edition of the *International Existing Building Code*; Amending Section 500.150 and 500.160 to Adopt the 2015 Edition of the *International Mechanical Code*; Amending Section 500.170 and 500.180 to Adopt the 2015 Edition of the *International Fuel Gas Code*; Amending Section 500.190 and 500.200 to Adopt the 2014 Edition of the *National Electrical Code*; Amending Section 500.240 and 500.250 to Adopt the 2015 Edition of the *International Plumbing Code*; and Enacting a New Article Containing Two New Sections, To Be Known As Sections 500.276 and 500.277, that Adopt the 2015 *International Swimming Pool and Spa Code*, to Make Local Amendments Thereto; and to Provide and Effective Date Thereof (*Sponsor: Dave Beckering*)

Bill 11514 (*To be held – Supplemental RCA Attached*)

An Ordinance Amending Sections 205.060 and 205.070 of the Code of Ordinances of the City of Saint Charles Missouri, to Adopt the *International Fire Code*, 2015 Edition (*Sponsor: Dave Beckering*)

Bill 11557 (*Substitute Bill No. 1*)

An Ordinance Amending Ordinance Number 14-264 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2015 (Budget Amendment #3) (*Sponsor: Dave Beckering*)

Bill 11558

An Ordinance Authorizing a Contract with World Wide Technology, Inc. for the Purchase of a City-Wide Cisco VoIP Phone System in an Amount Not to Exceed \$181,323.75 (*Sponsors: Dave Beckering, Laurie Feldman, John Hanneke, and Rod Herrmann*)

Bill 11559

An Ordinance Authorizing a Contract with World Wide Technology, Inc. for the Purchase of Network Switches and Related Supplies for the City-Wide Cisco VoIP Phone System in an Amount Not to Exceed \$129,818.94 (*Sponsors: Dave Beckering, Laurie Feldman, John Hanneke, and Rod Herrmann*)

Bill 11574 (*Proposed Substitute Bill No. 1*)

An Ordinance Authorizing an Intergovernmental Agreement By and Among St. Charles County, Missouri and the Cities of St. Charles, Lake St. Louis, O'Fallon, St. Peters and Wentzville for the Implementation, Operation, Ownership and Maintenance of the St. Charles County Next Generation 911 System with the City's Cost Share Not to Exceed \$547,095.09 (*Sponsor: Bridget Ohmes*)

Bill 11582

An Ordinance Authorizing a Contract with Navistar, Inc. for the Purchase of Four (4) 2016 International 7400 SFA 4x2, 34,200 lb. G.V.W.R. Single-Axle Dump Trucks with Dump Bodies, Salt Spreaders and Snow Plows in an Amount Not to Exceed \$529,175.60 (*Sponsors: Rod Herrmann and Tom Besselman*)

Bill 11583

An Ordinance Amending Sections 260.030, 260.040 and 260.050 of the Code of Ordinances Regarding the Posting of Signs Related to Smoking and the Use of Vapor Products (*Sponsor: Mary Ann Ohms*)

Bill 11585 (*Substitute Bill No. 1*)

An Ordinance Repealing Ordinance No. 2014-169 and Enacting a New Ordinance to Adopt Positions, Salary, Wages and Other Compensation for Employees; Authorizing and Ratifying the 2015 Department Director Performance Based Compensation Pool, Salary Percentage Increase Limitation and Salary; Establishing a 1.5% Non-Represented Employee Longevity Stipend Salary Increase; Establishing a 2.5% Salary Increase for

Employees Compensated Without Steps After January 1, 2014; Adding Three Public Works Department Positions; Increasing the Ending Salary Range for Two Department Director Positions; and Providing for an Effective Date (*Sponsor: Dave Beckering*)

Bill 11586

An Ordinance Authorizing an Amendment to the Contract with Lewis Rice Related to the Terra Technologies Creek Bank Project in the Amount of \$23,000, for a Total Contract Amount Not to Exceed \$128,000 (*Sponsor: Dave Beckering*)

Bill 11587

An Ordinance Approving the Record Plat for Springwell Village Plat Two, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)

Bill 11588

An Ordinance Approving the Record Condominium Plat for SCND Block 4000 Condominium, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

Bill 11589

An Ordinance Amending Ordinance Number 14-264 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2015 (Budget Amendment #4) (*Sponsor: Rod Herrmann*)

Bill 11590

An Ordinance Authorizing the City's Consent to the Assignment of the Right-of-Way Encroachment License with Pharmacia LLC to Ameren Missouri (*Sponsor: Rod Herrmann*)

Bill 11591

An Ordinance Authorizing a Contract Amendment Request with the Missouri Department of Economic Development, Division of Business and Community Services, for the Community Development Block Grant - Neighborhood Stabilization Program (*Sponsor: Dave Beckering*)

Bill 11592

An Ordinance Authorizing a Contract with Oros & Busch Application Technologies, Inc. for Lime Residual Collection and Disposal Services in an Amount Not to Exceed \$340,000.00 (*Sponsor: Rod Herrmann*)

Bill 11593

An Ordinance Authorizing a Contract with Spencer Contracting Company for the Muegge Road at Mexico Traffic Flow Improvements Project in an Amount Not to Exceed \$510,269.64 (*Sponsor: Jerry Reese*)

Bill 11594

An Ordinance Authorizing an Engineering Services Contract with Cole and Associates, Inc. to Provide Engineering Services for the Droste Road Reconstruction Project in an Amount Not to Exceed \$297,187.45 (*Sponsor: Ron Stivison*)

Bill 11595

An Ordinance Authorizing Amendment Number 1 to the Agreement with Woodard & Curran, Inc., for Contract Wastewater Operations in an Amount of \$75,000.00, for a Total Contract Amount Not to Exceed \$1,993,019.14 (*Sponsor: Rod Herrmann*)

Bill 11596

An Ordinance Authorizing a Contract with Coe Equipment Company for the Purchase of One (1) 2015 Vactor 2112 Plus Self-contained Catch Basin/Sewer Cleaner and International 7500 Tandem Chassis in an Amount Not to Exceed \$234,801.00 (*Sponsor: Rod Herrmann*)

8. **BILLS FOR INTRODUCTION**

Bill 11597

An Ordinance Authorizing the Sale of Real Property Consisting of Approximately 4,432 Square Feet Located Adjacent to and South of the Former United States Post Office in the 100 Block of South Main Street to OPO Plaza, LLC for the Sale Price of \$10,550 and Granting the Mayor and City Clerk Continuing Authority to Execute Documents Necessary to Carry out the Intent of this Ordinance (*Sponsor: Mary Ann Ohms*)

Bill 11598

An Ordinance Repealing Ordinance **No. 2015-__** and Enacting a New Ordinance to Adopt Positions, Salary, Wages and Other Compensation for Employees; Reclassifying the Building Commissioner Position; and Increasing Police Lieutenant Salary to Eliminate Wage Compression; and Providing for an Effective Date (*Sponsor: Mary Ann Ohms*)

Bill 11599

An Ordinance Amending Chapter 400 of the Code of Ordinances by Amending Section 400.330(B)(2) Amending the Times of Performance of Live Music in the “SMPD” South Main Preservation District (*Sponsor: Laurie Feldman*)

Bill 11600

An Ordinance Rezoning to City Zoning District C-3 (Highway Business District) from City Zoning District I-1 (Light Industrial District) Approximately 3.14 Acres of Land Located Immediately South of 3140 Elm Point Industrial Drive, Known as the Proposed Lots 8 and 9 of Elm Point Commons Subdivision (*Sponsor: Rod Herrmann*)

Bill 11601

An Ordinance Vacating the Right-of-Way of a Portion of Cunningham Avenue, Jackson Street and an Alley located in the Area Between the Former Alignment of First Capitol Drive to the Relocated First Capitol Drive (*Sponsor: Ron Stivison*)

Bill 11602

An Ordinance Approving the Record Plat for Lindenwood University Addition, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Ron Stivison*)

Bill 11603

An Ordinance Authorizing the Purchase of Real Property Located at 2525 and 2575 North River Road for the Not To Exceed Amount of \$128,000.00, Inclusive of Closing Costs, and Granting the Mayor and City Clerk Continuing Authority to Execute Documents Necessary to Carry out the Intent of this Ordinance (*Sponsors: Laurie Feldman, Rod Herrmann and Mary Ann Ohms*)

Bill 11604

An Ordinance Authorizing a Contract with Concrete Strategies, LLC, for the Annual Concrete Repair Project for 2015 in an Amount Not to Exceed \$875,000 (*Sponsors: Mary Ann Ohms, Rod Herrmann, Bridget Ohmes, John Hanneke and Ron Stivison*)

Bill 11605

An Ordinance Authorizing a Contract with NB West Contracting Company, for the Annual Asphalt Maintenance Project for 2015 in an Amount Not to Exceed \$685,000 (*Sponsors: Rod Herrmann, Bridget Ohmes, Mary Ann Ohms, John Hanneke and Ron Stivison*)

Bill 11606

An Ordinance Authorizing a Contract with Reinhold Electric, Inc., for the Flashing Yellow Arrow Project in an Amount Not to Exceed \$147,017 (*Sponsors: Mary West, John Hanneke, Jerry Reese, Dave Beckering, Rod Herrmann and Ron Stivison*)

Bill 11607

An Ordinance Amending Schedule III, Table III-A of Chapter 350 of the Code of Ordinances by Establishing a Parking Restriction Along a Portion on the West Side of North Second Street (*Sponsors: Ron Stivison, John Hanneke, Rod Herrmann, Bridget Ohmes and Mary Ann Ohms*)

Bill 11608

An Ordinance Approving Costs of Certain Improvements; and Authorizing Payments from the Project Fund in Connection with the New Town Gateway Neighborhood Improvement District (*Sponsor: Rod Herrmann*)

9. ITEMS FOR DISCUSSION AND/OR COUNCIL ACTION

A. Announcement of Council Line of Succession (*referred by City Clerk*)

10. CONSENT AGENDA

A. Approval of Council Minutes

1. Regular City Council Meeting of April 21, 2015

- B. Approval of Council Committee Reports
 - 1. Approval of Council Committee Minutes
 - a. Street Committee Meeting of April 14, 2015
 - b. Charter Review Committee Meeting of April 21, 2015
 - c. Council Work Session of April 21, 2015
 - 2. Approval of Council Committee Motions/Actions/Recommendations
 - a. Street Committee Meeting of April 14, 2015
 - i. Motion to establish a no-parking zone on Second Street between Clark and Decatur
 - ii. Motion to approve vacation of a portion of Cunningham Avenue, Jackson Street and an alley from First Capitol to old alignment of First Capitol Drive
 - iii. Motion to establish a work zone speed limit of 25 MPH on Fifth Street from First Capitol to Bass Pro Drive
 - iv. Motion to add welcome signs listing the sister cities of St. Charles project into the 2016 CIP for all highway crossings and one location on Fifth Street
 - v. Motion to approve staff to bring forward a resolution for the proposed N. Duchesne Extension Project for 2015 County Road Board funding
 - b. Charter Review Committee Meeting of April 21, 2015
 - i. Consensus of the members of the Committee to amend this section, calling for the election of the Council's President and Vice President to be conducted at the first meeting following *certification of the election results by the Election Authority*
 - c. Council Work Session of April 21, 2015 (*none*)
- C. Receipt of Reports from Boards, Commissions, or Committees
 - 1. Landmarks Board Meeting of March 16, 2015
 - 2. Special Business District Advisory Board Meeting of March 5, 2015
 - 3. Strategic Planning Committee Meeting of April 1, 2015
 - 4. Housing Authority Meeting of February 10, 2015
 - 5. Housing Authority Meeting of March 10, 2015
 - 6. Board of Public Works Meeting of March 9, 2015
 - 7. Park & Recreation Board Meeting of March 18, 2015
 - 8. Arts and Culture Commission Meeting of March 5, 2015
 - 9. Fair Housing Commission Meeting of January 15, 2015
 - 10. Convention Center Oversight Subcommittee Meeting of February 2, 2015
 - 11. Senior Citizen Advisory Commission Meeting of March 10, 2015
- D. Receipt of Reports of the Director of Administration
 - 1. March Investment Report
 - 2. Authorization to fill Two (2) Vacant Positions in Public Works/Street Division

- E. Approval of Contracts and Easements from \$30,001 - \$99,999
 - 1. Contract with Stryker Corporation for the Purchase of one (1) new Stryker Power-LOAD Cot Fastening System and one (1) new Stryker Power-Pro XT Cot with associated Peripheral Equipment in and amount not to exceed \$46,660.67
 - 2. Right of Way and Easement Acquisition Agreement, General Warranty Deed, (Right of Way), Permanent Utility Easement and Temporary Construction Easement with CM 2001 LLC, a Missouri Limited Liability Company for the Purchase of Right of Way and Easements needed for the Elm and Elmpoint Traffic Flow Improvement Project in an amount not to exceed \$52,105.00
 - 3. Easement Acquisition Agreement, Permanent Sidewalk Easement and Temporary Construction Easement with Archland Property I, LLC a Delaware Limited Liability Company (payable to McDonald's Corporation per Authorization to Execute) for the purchase of Easements needed for the Elm and Elm Point Traffic Flow Improvement Project in an amount not to exceed \$34,516.00
 - 4. Engineering Services Contract with Lochmueller Group to provide Engineering Services for the Downtown Area Water Distribution Study in an amount not to exceed \$77,000.00
- F. Preliminary Plats
 - 1. Diekamp Crossing
- G. Miscellaneous
 - 1. Report of the Court Administrator of Monies Collected and Deposited During the Month of January, 2015
 - 2. Report of the Court Administrator of Monies Collected and Deposited During the Month of February, 2015
 - 3. Report of the Court Administrator of Monies Collected and Deposited During the Month of March, 2015
 - 4. Approval of an Amendment to the Regional Commercial Use Overlay District (Signage) for the Streets of St. Charles
 - 5. Authorize Waiver of Building Permit, Sanitary Sewer and Water Connection Fees for 4 lots at 240 Diekamp Lane to be developed by Habitat for Humanity of St. Charles County for Low Income Families

11. ITEMS REMOVED FROM CONSENT AGENDA

12. ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

- A. Update from Council Liaisons on Boards/Commissions/Committees
- B. Written and/or Verbal Messages from the Council Members

13. EMERGENCY ORDINANCES (*none*)

14. TABLED BILLS (*none*)

15. APPROVAL OF CLOSED MINUTES (*none*)
16. CLOSED SESSION, if requested, relative to:
 - A. Legal actions, causes of action, or litigation (RSMo 610.021.1)
 - B. Leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2)
 - C. Hiring, firing, disciplining or promotion of particular employees by a public governmental body when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
 - D. Preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)
 - E. Sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)

The City of St. Charles offers all interested citizens the opportunity to attend public meetings and comment on public matters. If you wish to attend this public meeting and require an accommodation due to a disability, please contact the Office of The City Clerk to coordinate an accommodation at least two (2) business days in advance of the scheduled meeting at 636-949-3282 or 636-949-3289 (TTY – for the hearing impaired).

The City of St. Charles, Missouri, fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, please call the City Clerk's Office at (636)949-3282 or visit City Hall located at 200 North Second Street, St. Charles, Missouri, 63301.

Posted: Friday, May 1, 2015, at 5:00 p.m.